

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARIO PILLCO MOROCHO, *et al.*,

Plaintiffs,

v.

BRISTOL COUNTY SHERIFF'S
OFFICE, *et al.*,

Defendants.

No. 1:22-cv-10652-WGY

**JOINT MOTION FOR
REASSIGNMENT TO MAGISTRATE JUDGE FOR ALL PURPOSES**

Plaintiffs¹ and Defendants Bristol County Sheriff's Office, former Sheriff Thomas Hodgson, Superintendent Steven Souza, the United States Department of Homeland Security ("DHS"), and the United States of America (collectively, the "Parties") jointly move for reassignment of this case to a magistrate judge for all purposes. In support of their joint motion, the Parties state:

1. Plaintiffs' complaint seeks damages for alleged mistreatment at the Bristol County House of Correction during the COVID-19 pandemic. *See generally* Compl. & Request for Relief (Apr. 29, 2022), ECF No. 1.

2. On November 17, 2022, the Court allowed in part and denied in part the motion to dismiss of the Bristol County Sheriff's Office, former Sheriff Hodgson, and Superintendent Souza. Order (Nov. 17, 2022), ECF No. 20.

¹ Plaintiffs are Mario Pillco Morocho, Abdoulaye Fall, Darlin Guillermo, Juan Carlos Illicachi Shigla, Diego Galindo, Segundo Armijos, Diego Armando Gullán Tixi, Miguel Lucas Ixcuna Yax, Lloyd Wafula, Conroy Desmond Lewis, Carlos Menjivar Rojas, Nuelson Gomes, Aires Da Graca, Flavio Andrade Prado Junior, Janito De Cavalho, Joao Fernandez, and Marco Battistotti.

3. The motion to dismiss of the United States and DHS, grounded primarily in sovereign immunity, is pending before the Court with argument scheduled for May 17, 2023. Electronic Notice (Mar. 23, 2023), ECF No. 40; *see also* Fed. Defs.’ Mot. to Dismiss (Feb. 13, 2023), ECF No. 29; Mem. in Support of Fed. Defendants’ Mot. to Dismiss (Feb. 13, 2023), ECF No. 30; Pls.’ Mem. in Opp. to Defs.’ Mot. to Dismiss (March 20, 2023), ECF No. 38; Reply in Support of Fed. Defs.’ Mot. to Dismiss (Apr. 21, 2023), ECF No. 45.

4. Also pending is Plaintiffs’ First Motion to Compel Discovery. Pls.’ First. Mot. to Compel Discovery (Apr. 28, 2023), ECF No. 46.

5. Upon reflection, all Parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and post-trial proceedings.

WHEREFORE, the Parties jointly request that the Court grant their motion and reassign this case to a magistrate judge for all purposes.

Dated: May 1, 2023

Respectfully Submitted,

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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that, pursuant to L.R. 7.1(a)(2), I conferred with counsel for Plaintiffs and counsel for Bristol County Sheriff's Office, Thomas Hodgson, and Steven Souza, each of whom joins this motion.

/s/ Julian N. Canzoneri
Julian N. Canzoneri
Assistant U.S. Attorney

Dated: May 1, 2023

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorneys of record by means of the Court's Electronic Case Filing system on May 1, 2023.

/s/ Julian N. Canzoneri
Julian N. Canzoneri
Assistant U.S. Attorney